### IN 1 2 TECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below mined inventor, I hereby declare that my residence, post office address and citizenship are as stated below intringuily mental to the state of the sta

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

			Priority Clain	nec
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	Yes	N

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/197,137	14/04/00
(Application Serial Number)	(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §11.2. Lacknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/667,298	22/09/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
	03/08/00	Pending
09/031,451	03/06/00	
09/631.451 (Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

POWER OF ATTORNEY of hereby appoint as my attorneys, with full powers of substitution and revocation, to Optober this application and transfer all business in the Patent and Trademark

MAR 1 2 2002 5
John B. Lungmans (18,566)
Allen H. Gey Min (22,218)
Nate F. Sengelli (22,320)
McGrael F. Borun (25,447)
Trevor B. Joike (25,542)

Carl E. Moore, Jr. (26,487)

ETRM NAME

California

Date

X

Richard H. Anderson (26,526)

Patrick D. Ertel (26,877) Richard B. Hoffman (26,910) James P. Zeller (28,491) William E. McCracken (30,195) Richard A. Schnurr (30,890) Anthony Nimmo (30,920) Christine A. Duckik (31,245) Kevin D. Hogg (31,839) Jeffrey S. Sharp (31,879) Martin J. Hirsch (32,237) James J. Napoli (32,361) Richard M. La Barge (32,254) Li-Hsien Rin-Laures, M.D. (33,547) Douglass C. Hochstetler (33,770) Robert M. Gerstein (34,824)

CITY & STATE

Anthony G. Sitko (36,278) James A. Flight (37,622) Roger A. Heppermann (37,641) David A. Gass (38,153) Gregory C. Mayer (38,238) Michael R. Weiner (38,359) William K. Merkel (40,725)

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State or Country			State or Coun	itry		

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Signature

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Date	Signature
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Third Joint Inventor, if any	Citizenship
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Santa Cruz, 95060	Santa Cruz, 95060
State or Country California	State or Country California
Date 🗵	Signature

Fourth Joint Inventor, if any Y. Tom Tang	Citizenship United States of America
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City (Zip)	City (Zip)
San Jose, 95118	San Jose, 95118
State or Country	State or Country
California	California
Date 🗵	Signature ⊠

APPLICABLE RULES AND STATISTS

DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

PADIAN Patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

prior art cited in search reports of a foreign patent office in a counterpart application, and the closest information over which individuals associated with the filing or prosecution of a patent (2)

application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

## 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

# 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Fifth Joint Inventor, if any Ping Zhou Residence Address - Street 7505 Newcastle Drive	Citizenship United States of America Post Office Address - Street 7595 Newcastle Drive	
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State or Country	State or Country
California	California
Date 2/13/02	Signature Vivod Ascurdi
× 2/13/02	™ Vinod Asundi

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State or Country	State or Country
California	Califonia
Date 🗵	Signature ☑

01 P E 000 8	
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California	California
Date ⊠	Signature

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Date ⊠	Signature ⊠

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California	California
Date	Signature
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California	California
Date	Signature
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State or Country	State or Country
California	California
Date	Signature
X	<b>⊠</b>

Atty. Docket No: 2811 /35915A

#### ECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "MATERIALS AND METHODS RELATING TO LIPID METABOLISM," the specification of which was filed on \_\_April 16, 2001\_ as Application Serial No. \_og/835,906\_\_. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date; before that of the amplication(s) of which priority is claimed:

parojeet marter paring a thing and -	order came or me apparation (c	, F		
			Priority Cla	imed
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/197,137	14/04/00
(Application Serial Number)	(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filling date of the prior application(s) and the national or PCT international filling date of this application:

09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
/6/	22/09/00	Pending
09/667,298	22/09/00	Penaing
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/631,451	03/08/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/598,042	20/06/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

# POWER OF ATTORNEY thereby appoint as my attorneys, with full powers of substitution and revocation, to prose to this application and tradect all business in the Patent and Trademark the connected therewith:

MAR 1 2 2002 & Johns Lungmus(18,566) Alley 5, Gerstein (22,218) Nate 8 carpelli (22,244) Hichael F. Borun (25,447) Trever B. Joike (25,542) Carl E. Moore, Jr. (26,487)

Richard H. Anderson (26,526)

Patrick D. Ertel (26,877) Richard B. Hoffman(26,910) James P. Zeller (28,491) William E. McCracken (30,195) Richard A. Schaurr (30,890) Anthony Nimmo (30,920) Christine A. Dudzik (31,245) Kevin D. Hogg (31,839) Jeffrey S. Sharp (31,879) Martin J. Hirsch (32,237) James J. Napoli (32,361) Richard M. La Barge (32,254) Li-Hsien Rin-Laures, M.D. (33,547) Douglass C. Hochstetler (33,710) Robert M. Gerstein (34,824) Anthony G. Sitko (36,278) James A. Flight (37,622) Roger A. Heppermann (37,641) David A. Gass (38,153) Gregory C. Mayer (38,238) Michael R. Weiner (38,359) William K. Merkel (40,725)

#### Send correspondence to: Sharon M. Sintich

\_\_\_\_

FIRM NAME	PHONE NO.	SIR	RET.	CITY & STATE	ZIP CODE	
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Second Joint Inventor, if any	Citizenship
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5932 Valley Meadow Court	5932 Valley Meadow Court
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Date	Signature
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Third Joint Inventor, if any Julie R. Montgomery	Citizenship United States of America
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Date 🗵	Signature

Fourth Joint Inventor, if any Y. Tom Tang	Citizenship United States of America
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4230 Ranwick court	4230 Ranwick Court
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San Jose, 95118	San Jose, 95118
State or Country	State or Country
California	California
Date	Signature
⊠	⊠

### APPLICABLE RULES AND STATUTI

of DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- prior art cited in search reports of a foreign patent office in a counterpart application, and
- the closest information over which individuals associated with the filing or prosecution of a patent (1) application believe any pending claim patentability defines, to make sure that any material (2) information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

# 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

(c) he has abandoned the invention, or

- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
  - (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

# 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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Date		Signature ☑

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Date 🗵	Signature  ⊠	

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California	California
Date 区 2-12-2002	Signature Clahn Lu

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California	California
Date	Signature
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City (Zip)	City (Zip)
San Jose, 95118	San Jose, 95118
State or Country	State or Country
California	Califonia
Date X	Signature ⊠

Atty. Docket No: 28110/35015A

### MAR 1 2 2002 BECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

named inventor, I hereby declare that my residence, post office address and citizenship are as stated my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "MATERIALS AND METHODS RELATING TO LIPID METABOLISM," the specification of which was filed on \_\_April 16, 2001 as Application Serial No. \_\_09/835,996 \_\_. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. \$119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

			Priority C	lain	ned
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	Υ	es	No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/197,137 14/04/00 (Application Serial Number) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. \$1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/667,298	22/09/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/631,451	03/08/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/598,042	20/06/00	Pending
09/598,042 (Application Serial Number)	20/06/00 (Day/Month/Year Filed)	Pending (Status-Patented, Pending or Abandoned)

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Richard H. Anderson (26,526)

Patrick D. Ertel (26,877)
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Anthony Nimmo (30,920)
Christine A. Dudzik (31,245)
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Jeffrey S. Sharp (31,879) Martin J. Hirsch (32,237) James J. Napoli (32,361) Richard M. La Barge (32,254) Li-Hsien Rin-Laures, M.D. (33,547) Douglass C. Hochstetler (33,710) Roberts M. Gerstein (34,824) Anthony G. Sitko (36,278) James A. Flight (37,622) Roger A. Heppermann (37,641) David A. Gass (38,153) Gregory C. Mayer (38,238) Michael R. Weiner (38,359) William K. Merkel (40,725)

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37 CFR 1.5 DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to be satisfied if all information known to be material to patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim results of the office or submitted to the Office in the manner prescribed by §§ 1.9(f)b-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office en encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

#### 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
  - (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent. or
  - (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

#### 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

#### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Fifth Joint Inventor, if any Ping Zhou		Citizenship United States of America
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State or Country California	California
Date	Signature
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City (Zip) Poway, 92064	City (Zip) Poway, 92064
State or Country	State or Country
California	California
Date ⊠	Signature ⊠

MAR 1 2 200

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#### ECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "MATERIALS AND METHODS RELATING TO LIPID METABOLISM," the specification of which was filed on \_April 16, 200\_ as Application Serial No. \_o9/835,996 . I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

		1	
			Priority Claimed
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	Yes No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

 60/197,137
 14/04/00

 (Application Serial Number)
 (Day/Month/Year Filed)

I hereby claim: the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

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09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/667.298	22/09/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
***		
09/631,451	03/08/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
(Application Serial Number)		
	(Day/Month/Year Filed) 20/06/00	Pending
(Application Serial Number) 09/598,042	20/06/00	Pending
(Application Serial Number)		

### APPLICABLE RULES AND STATUTES

37 CFR 1.5 2 DUTY OF DISCHOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a facility of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1,97(b)-(d) and 1,98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

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- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
  - (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
  - (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

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#### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

POWER OF ATTORNEY: The by appoint as my attorneys, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:



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Richard B. Hoffman(26,910)
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Date 🗵	Signature

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State or Country	State or Country
California	California
Date ⊠	Signature ⊠

### MAD 1 2 2002

#### DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As below named inventor, I hereby declare that my residence, post office address and citizenship are as stated to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "MATERIALS AND METHODS RELATING TO LIPID METABOLISM," the specification of which was filed on \_\_April\_16, 200\_1 as Application Serial No.\_\_09/835,096\_. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. \$119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

			Priority Clair	med
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

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 (Application Serial Number)
 (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/667,298	22/09/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/631,451	03/08/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/598,042	20/06/00	Pending
09/598,042 (Application Serial Number)	20/06/00 (Day/Month/Year Filed)	Pending (Status-Patented, Pending or Abandoned)

POWER OF ATTORNEY: eby appoint as my attorneys, with full power of substitution and revocation, to prosecute this application are caused all business in the Patent and Trademark Off a connected therewith:

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Nate F. Scarpelli (22,28)
Sidehad F. Borun (25,43)
Sidehad B. Borun (25,43)
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Tevor B. Joliek (25, 54.27) Trevor B. Joike (25,542) Carl E. Moore, Jr. (26,487) Richard H. Anderson (26,526)

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Anthony G. Sitko (36,278) James A. Flight (37,622) Roger A. Heppermann (37,641) David A. Gass (38,153) Gregory C. Mayer (38,238) Michael R. Weiner (38,359) William K. Merkel (40,725)

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State or Country California			State or Coun California	try	
Date ⊠			Signature		
Second Joint Inventor, if any Deborah Loeb				tes of America	
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City (Zip)			City (Zip)		
San Jose, 95135 State or Country			San Jose, o		
California		ì	California		
Date ⊠			Signature		
L <del>-</del>					
Third Joint Inventor, if any	<del></del>		Citizenship	<del></del>	
Julie R. Montgomery				tes of America	
Residence Address – Street 2077 Redwood Drive			Post Office Ac 2077 Redw	ldress - Street ood Drive	
City (Zip)			City (Zip) Santa Cruz	0.5060	
Santa Cruz, 95060 State or Country			State or Coun		
California			California		
Date 2/13/2002			Signature A	ulia ZMon	etgomery
					0 0
Fourth Joint Inventor, if any			Citizenship		
Y. Tom Tang				tes of America	
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San Jose, 95118		ì	San Jose,	5118	
State or Country			State or Coun		
California			California		
Date			Signature		
×			×		
					-

#### APPLICABLE RULES AND STATUTES

CFR 1.56. DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

MAR 1 2 2002 (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and squares the sections of all information material to patentability. Each individual associated with the filing and present application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any existing claim. The duty to disclose all information known to be material to patentability of any existing claim. The duty to disclose all information known to be material to patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §8 1,97(b)-(d) and 1,98. However, no patent will be granted on an application in connection with which fraud on the Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

#### 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
  - (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent. or
  - (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

#### 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

#### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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Fifth Joint Inventor, if any MAR 1 2 2002	Citizenship United States of America
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California	California
Date 🔀	Signature

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Date	Signature
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Ninth Joint Inventor, if any	Citizenship
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City (Zip)	City (Zip)
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California	Califonia
Date 🔀	Signature ☑ ·

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State or Country	State or Country
California	California
Date [X]	Signature

Twelfth Joint Inventor, if any	Citizenship
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7703 Oak Meadow Court	7703 Oak Meadow Court
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State or Country California	State or Country California
Date	Signature
⊠	☑

Thirteenth Joint Inventor, if any	Citizenship
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City (Zip)	City (Zip)
San Jose, 95132	San Jose, 95132
State or Country	State or Country
California	California
Date	Signature
⊠	☑

Fourteenth Joint Inventor, if any	Citizenship
Dunrui Wang	People's Republic of China
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12252 Pepper Tree Lane	12252 Pepper Tree Lane
City (Zip)	City (Zip)
Poway, 92064	Poway, 92064
State or Country	State or Country
California	California
Date 🔀	Signature ⊠

DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below fiext to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "MATERIALS AND METHODS RELATING TO LIPID METABOLISM," the specification of which was filed on \_April 16, 2001 as Application Serial No.\_09/835,996 \_. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

			Priority Clair	ned
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

 60/197,137
 14/04/00

 (Application Serial Number)
 (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/667,298	22/09/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/631,451	03/08/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/598,042	20/06/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

POWER OF ATTORNEY: 1 by appoint as my attorneys, with full power is substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Officennected therewith:

John B. Lungmus (18,566) 1 2 2002 Allen H. Gersten (2a,218) Nate F. Scarpell (2a,218) Nate F. Scarpell (2a,218) Michael F. Borun (25,744) Michael F. Borun (25,744) Carl E. Moore, Jr. (26,487) Richard H. Anderson (26,526)

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State or Country	State or Country
California	California
Date ⊠	Signature  ☑

#### APPLICABLE RULES AND STATUTES

FR 256. DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any existing claim. The duty to disclose all information known to be material to patentability is dependent to be satisfied if all information known to be material to patentability of any existing claim. The duty to disclose all information known to be material to patentability is dependent to be satisfied if all information known to be material to patentability is dependent to be satisfied if all information known to be material to patentability is dependent to the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office en tencourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States,
  - (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
  - (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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California		California
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San Jose, 95118	San Jose, 95118
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Date 🗵	Signature ⊠

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California	California
Date 🔀	Signature ⊠

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City (Zip)	City (Zip)
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State or Country	State or Country
California	California
Date 🗵	Signature ⊠

Atty. Docket No: 28110/35915A

#### ARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

has a believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "MATERIALS AND METHODS RELATING TO LIPID METABOLISM," the specification of which was filed on \_April 16, 200\_ as Application Serial No.\_09/835,996 ... I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentiality as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. \$119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

	-		Priority Clair	ned
(Application Serial Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/197,137	14/04/00
(Application Serial Number)	 (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. \$120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. \$112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. \$1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/667,298	22/09/00	Pending
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09/631,451	03/08/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/598,042	20/06/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

### APPLICABLE RULES AND STATUTES

ESSCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

ent by its very nature is affected with a public interest. The public interest is best served, and the most effects in a second most effect in a second m evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

prior art cited in search reports of a foreign patent office in a counterpart application, and

the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material (2) information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

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A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (i), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

# 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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## 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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William E. McCracken (30,195)
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Jeffrey S. Sharp (31,879) Martin J. Hirsch (32,237) James J. Napoli (32,361) Richard M. La Barge (32,254) Li-Hsien Rin-Laures, M.D. (33,547) Douglass C. Hochsteller (33,710) Robert M. Gerstein (34,824) Anthony G. Sitko (36,278) James A. Flight (37,622) Roger A. Heppermann (37,641) David A. Gass (38,153) Gregory C. Mayer (38,238) Michael R. Weiner (38,359) William K. Merkel (40,725)

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California	California
Date	Signature
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Thirteenth Joint Inventor, if any	Citizenship
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City (Zip)	City (Zip)
San Jose, 95132	San Jose, 95132
State or Country California	State or Country California
Date	Signature ⊠

Fourteenth Joint Inventor, if any	Citizenship
Dunrui Wang	People's Republic of China
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City (Zip)	City (Zip)
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State or Country	State or Country
California	California
Date Z/12/02	Signature 1



#### ECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "MATERIALS AND METHODS RELATING TO LIPID METABOLISM," the specification of which was filed on \_April 16, 2001 as Application Serial No.\_09/835,996 ... I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

					Priority	Clair	nec
(Application Serial Number)	(Co	ountry)	(D	ay/Month/Year Filed)		Yes	No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

 60/197,137
 14/04/00

 (Application Serial Number)
 (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/667,298	22/09/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/631,451	03/08/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/598,042	20/06/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

POWER OF ATTORNED. I hereby appoint as my attorneys, with full process of substitution and revocation, to prosecute this application and sease all business in the Patent and Trademan. If fice connected therewith:

John B. Lyngmus 18,566 | Salam H. O'Glegin (22,218) | Nate F. Scan Fr. (22,200) | Salam H. O'Glegin (22,218) | Michael F. Borun (25,447) | Trevor B. Joike (25,542) | Carl E. Moore, Jr. (26,487) | Richard H. Anderson (26,526)

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Deborah Loeb	United States of America
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Third Joint Inventor, if any Julie R. Montgomery	Citizenship United States of America
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City (Zip) Santa Cruz, 95060	City (Zip) Santa Cruz, 95060
State or Country California	State or Country California
Date 🗵	Signature ⊠

Fourth Joint Inventor, if any Y. Tom Tang	Citizenship United States of America
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State or Country California	State or Country California
Date ⊠	Signature ⊠

### APPLICABLE RULES AND STATUTE

1.56. DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

whether the vision is affected with a public interest. The public interest is best served, and the most effective frame examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of any existing claim. The duty to disclose all information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to the patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1,79(b)-(d) and 1,98. However, no patent will granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

#### 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent, or

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States,
  - (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States. or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent. or
  - (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

### 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

### 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concies, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

/	
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California	California
Date	Signature
⊠	⊠

Atty. Docket No: 28110/35915A

### LARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a beyonamed inventor, I hereby declare that my residence, post office address and citizenship are as stated below next of my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "MATERIALS AND METHODS RELATING TO LIPID METABOLISM," the specification of which was filed on \_April 4.2001 as Application Serial No.\_09/835,096 \_. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentiability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

			Priority Claim	ed
(Application Serial Number)	(Country)	(Day/Month	/Year Filed) Yes	No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

 60/197,137
 14/04/00

 (Application Serial Number)
 (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. \$120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. \$112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined at 7 C.F.R. \$1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
	, , ,	
09/667,298	22/09/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/631,451	03/08/00	Pending
09/631,451 (Application Serial Number)	03/08/00 (Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORN prosecute this application and I hereby appoint as my attorneys, with full pers of substitution and revocation, to ensact all business in the Patent and Tradema Office connected therewith:

MAR 1 2 2002 &

FIRM NAME

John B. Lungmus (18,566) Allen H. Gerstein (28, 218) Nate F. Scarpell (26,900) Edward M. O'Toole (20,000) Edward M. O'Toole (20,000) William E. McCracken (30,19) William E. McCracken (30,195) Michael F. Borun (25,447. Richard A. Schnurr (30,890) Trevor B. Joike (25,542) Anthony Nimmo (30,920) Christine A. Dudzik (31,245) Carl E. Moore, Jr. (26,487) Richard H. Anderson (26,526) Kevin D. Hogg (31,839)

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CITY & STATE

Anthony G. Sitko (36,278) James A. Flight (37,622) Roger A. Heppermann (37,641) David A. Gass (38,153) Gregory C. Mayer (38,238) Michael R. Weiner (38,359) William K. Merkel (40,725)

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City (Zip) City (Zip) Menlo Park, 94025 Menlo Park, 94025 State or Country State or Country California California Date Signature × IX)

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State or Country	State or Country
California	California
Date	Signature
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Date	Signature
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San Jose, 95118	San Jose, 95118
State or Country	State or Country
California	California
Date 🗵	Signature ⊠

#### APPLICABLE RULES AND STATUTES

CFMAR-3. 200002 EF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

(a) patent by its very nature is affected with a public interest. The public interest is best served, and the most examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the tablings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability is demed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1,9(b)-(d) and 1,98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States,

- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent. or
  - (f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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### DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a commed inventor, I hereby declare that my residence, post office address and citizenship are as stated below of my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "MATERIALS AND METHODS RELATING TO LIPID METABOLISM," the specification of which was filed on <u>April 16, 2001</u> as Application Serial No. <u>09/835,996</u>. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

 60/197,137
 14/04/00

 (Application Serial Number)
 (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of 35 U.S.C. §12. I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

09/714,936	17/11/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/667,298	22/09/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/631,451	03/08/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)
09/598,042	20/06/00	Pending
(Application Serial Number)	(Day/Month/Year Filed)	(Status-Patented, Pending or Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. \$1001 and that such willful false statements may jeopardize the validity of the application or any patent is sued thereon.

POWER OF ATTORNE thereby appoint as my attorneys, with full powers of substitution and revocation, to prosecut this application and transact all business in the Patent and Trademark ice connected therewith:

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# PPLICABLE RULES AND STATUTES

DUTY OF DISCLOSURE - INFORMATION MATERIAL TO PATENTABILITY (Applicable Portion)

A patent by its very nature is affected with a public interest. The public interest is best served, and the post effective great examination occurs when, at the time an application is being examined, the Office is aware of and columns the public interest is best served, and the post effective great examined, the Office is aware of and columns in the public interest is best served, and the post effective great in the office is aware of an application is being examined, the Office is aware of and the post effective great properties. f patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

prior art cited in search reports of a foreign patent office in a counterpart application, and

the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentability defines, to make sure that any material (2) information contained therein is disclosed to the Office.

Information relating to the following factual situations enumerated in 35 USC 102 and 103 may be considered material under 37 CFR 1.56(a).

# 35 U.S.C. 102. CONDITIONS FOR PATENTABILITY: NOVELTY AND LOSS OF RIGHT TO PATENT

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed

publication in this or a foreign country, before the invention thereof by the applicant for patent, or (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or

(c) he has abandoned the invention, or

(d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months before the filing of the

(e) the invention was described in a patent granted on an application for patent by another filed in the application in the United States, or United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraph (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or

(f) he did not himself invent the subject matter sought to be patented, or

(g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

# 35 U.S.C. 103. CONDITIONS FOR PATENTABILITY; NON-OBVIOUS SUBJECT MATTER (Applicable Portion)

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

## 35 U.S.C. 112. SPECIFICATION (Applicable Portion)

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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